



Socioeconomic Institute for Advanced Studies (SIAS)

*Pioneering Socioeconomic Solutions
& Development by Multidisciplinary Holistic Academic Programs*

Student Complaint & Staff Disciplinary Policy

December 2022

<http://www.sias.rw/>

Building 16, KK19 Avenue, Niboyi Sector, Kicukiro District, Kigali City, Rwanda

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STUDENT COMPLAINTS RESOLUTION

1. Introduction

As per the law No 010/2021 of 16/02/2021 determining the organization of education on matters regarding the types of Higher Learning Institutions, SIAS is committed to providing a harmonious work and study environment for all students.

2. Scope

This policy provides a framework for resolving student complaints in the Institute environment. It defines parties' responsibilities and outlines the procedures for making or responding to a complaint. This policy provides a framework for resolving student complaints in the Institute environment. It defines parties' responsibilities and outlines the procedures for making or responding to a complaint. The Institute aims to deal with all disciplinary issues in a fair and consistent manner.

The policy includes student complaints about:

- academic programs
- the decisions of Institute committees
- the administrative decisions and/or procedures of any unit or group within the Institute or acting under the authority or auspices of the Institute
- Institute staff
- Another student

It includes complaints about bullying, discrimination or harassment as defined in this policy. It does not include complaints regarding matters of academic judgement (such as final grades) that are addressed in the Institute's academic and research policies. This policy does not automatically cover students of the Institute undertaking industrial attachment with other organisations.

3. Definitions

For the purpose of this policy, the following definitions apply:

3.1 Bullying means the repeated unreasonable ill-treatment of a person by another or other people. It consists of offensive, abusive, belittling or threatening behaviour directed at an individual or group that a reasonable person would expect to create a risk to the emotional, mental or physical health of the person(s) affected or targeted.

3.2 Complaint means verbal or written communication from a student who believes they have been treated unfairly or inappropriately, either by a staff member or student of the Institute.

3.3 Complainant means a student who has lodged a complaint under the provisions contained within this policy.

3.4 Discrimination means treating an individual and/or group in employment or education less favourably than others, or causing them disadvantage on any of the grounds specified in the relevant legislation. Examples of discrimination include but are not limited to:

- Making denigrating verbal or written comments or jokes relating to the attributes specified in the relevant legislation

- Displaying or distributing denigrating written or pictorial material, graffiti, clothing or badges relating to the attributes specified in the relevant legislation
- Expressing stereotypes relating to the attributes specified in the relevant legislation
- Using Institute facilities to recruit students or staff to organisations or groups which advocate unlawful discrimination or harassment

3.5 Harassment is a deliberate, aggressive act which can be a form of bullying if it is repeated or persists over a period of time. Harassment may also be considered unlawful discrimination if it is associated with attributes covered by federal and/or state anti-discrimination legislation (e.g. age, sex, race, disability etc).

3.6 Manager or supervisor means the relevant head of institution, deans, directors of research institutes, division directors, directors of central units, convenor or chair of a

3.7 Institute committee or group.

3.8 Natural Justice depends on the circumstances of the matter and is generally a process that seeks to ensure fairness to all parties and includes the following principles:

- all parties must be given an opportunity to present their case
- the respondent must be provided with notice and information about allegations made against them
- the respondent must be given a reasonable timeframe within which to respond
- the decision maker must:

3.8.1 act fairly and without bias

3.8.2 declare any conflict of interest

3.8.3 consider all relevant evidence before the decision maker

3.8.4 base any decision on evidence that supports it

- all parties must be informed of the decision in relation to the complaint, and the reasons for that decision

3.9 Respondent means the person or persons whose alleged behaviour or action/inaction is the subject of the complaint.

3.10 Senior manager means Vice Chancellor, Deputy Vice Chancellors.

3.11 Sexual Harassment means unwelcome sexual behaviour or sexual innuendo that has the effect of offending, intimidating or humiliating a person in circumstances which a reasonable person having regard to all the circumstances would have anticipated that the person harassed would be offended, humiliated or intimidated.

3.12 Quality Assurance Coordinator, or the Dean of Students is an academic staff member of the Institute who is authorised by the Vice Chancellor to conduct enquiries and take action to resolve complaints raised by students under this policy. The dean of students or the director of quality operates within the Institute under terms of reference approved by the Institute Council, although he/she is independent and impartial.

3.13 Support person means a person who provides assistance to any party to a complaint.

3.14 Victimisation means an act by a person which causes another person involved in the complaint, other than the respondent, to be intimidated or coerced; or suffer a detriment or disadvantage, or be otherwise treated unfavourably; or the threat of such conduct, on the grounds that the person made or is proposing to make a complaint, or has or is proposing to provide information about a complaint, or otherwise asserting their legal rights.

4. Policy

- 4.1** Complaint resolution procedures will be conducted in accordance with the principles of natural justice as appropriate in the circumstances, as determined by the Institute from time to time.
- 4.2** The Institute will take all reasonable steps to ensure that all students and staff are aware of this policy and that it is accessible. All staff and students will receive information about this policy during orientation and/or induction programs.
- 4.3** Where possible, a complaint will be dealt with at the local level and will involve as few people as possible. Complaints should not be escalated before attempting local resolution.
- 4.4** Any party to a complaint may be assisted or accompanied by a support person at relevant meetings, but may not have legal representation.
- 4.5** Requests for anonymity by the complainant will be considered on a case by case basis by the staff member managing the complaint. This will include consulting with the support person and/or the complainant as appropriate. Staff requiring guidance on this matter should seek advice from their line manager or the director of quality and dean of students.
- 4.6** A complainant may withdraw their complaint at any time.
- 4.7** The complainant must promptly advise the staff member managing the complaint that the complaint has been withdrawn. This advice must be provided in writing.
- 4.8** The staff member managing the complaint will advise all parties within two working days that the complaint has been withdrawn.
- 4.9** The Institute may still choose to investigate the complaint.
- 4.10** Any action arising from a complaint will be implemented in accordance with the relevant Institute statute or industrial instrument, where applicable.
- 4.11** Penalties may be instituted against anyone who victimises or retaliates against a complainant or a support person of either party.

5. Roles and Responsibilities

5.1 Responsibilities of staff and students of the Institute

- 5.1.1** All staff and students are responsible for contributing to a harmonious work and study environment.
- 5.1.2** All staff and students must respect the rights of both the complainant and the respondent in accordance with the principles of natural justice.
- 5.1.3** All staff and students who have access to information regarding a complaint must ensure that this information is disclosed only to those legitimately involved in resolving the complaint, or as authorised.
- 5.1.4** A staff member or student who is approached by a complainant seeking to discuss allegations of bullying, discrimination or harassment should recommend that the complainant seek advice and information from the director of quality or dean of student.

- 5.1.5** Any staff who provides information or advice to a student about resolving a complaint must decline or withdraw their involvement if there is, or could be, a real, perceived or potential conflict of interest.

5.2 Responsibilities of managers and supervisors

5.2.1 Managers and supervisors are responsible for:

- a. Having a working knowledge of this policy and the procedures for dealing with student complaints.
- b. Ensuring that staff, including any staff on short-term contracts, is informed of this policy.
- c. Arranging and/or supporting staff development initiatives designed to promote understanding of diversity and equal opportunity, and the Institute's complaints handling procedures.
- d. Ensuring that the requirements of natural justice are met when investigating student complaints.
- e. Acting to resolve student complaints that fall within their responsibility under this policy.
- f. Taking corrective and/or preventative action and/or making recommendations to address issues arising from the complaint.
- g. Meeting the requirements for confidentiality and record keeping.

5.2.2 Where a manager or supervisor is implicated in a complaint, or there is, or could be, a real, perceived, or potential conflict of interest in dealing with the complaint, the matter must be referred to their line manager.

5.3 Responsibilities of the Director of Quality or Dean of Students

- a. Ensuring that this policy is accessible to all staff and students.
- b. Ensuring that the services are available to all students regardless of location or mode of study
- c. Providing education, training and advice to staff in relation to complaints handling procedures
- d. Ensuring that the requirements of natural justice are met when investigating complaints from students
- e. Acting to resolve complaints
- f. Taking corrective and/or preventative action and/or making recommendations to address issues arising from the complaint
- g. Meeting the requirements for confidentiality and record keeping.
- h. Monitoring and reviewing the implementation of this policy and procedures
- i. Providing an annual report to Institute Council

5.3.1 With the exception of complaints about bullying, discrimination or harassment, the quality coordinator will normally only intervene in a complaint when all other avenues for resolution have been exhausted. However, any party to a complaint may seek advice at any stage.

6. Procedures

6.1 General Procedures

The primary objective of these procedures is to achieve a fair and reasonable resolution of a complaint.

7.1.1 Where the complainant chooses to lodge a written complaint, the complaint must state the basis of the complaint, contain specific details and be signed by the complainant in printed or electronic form.

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- 7.1.2** The staff member managing the complaint must acknowledge the complaint (whether verbal or written) in writing within two working days, commence the resolution process within ten working days of the initial contact from the complainant, and take all reasonable measures to finalise the process as soon as practicable.
- 7.1.3** The complainant must be provided with a written statement of the outcome, including the reasons for the outcome and further avenues of complaint, within five working days of the resolution of the complaint.
- 7.1.4** International students who lodge a complaint must be advised that their enrolment will be maintained while the internal complaints resolution process is ongoing.

6.2 Complaints about academic programs; decisions of Institute committees or groups; or administrative decisions and/or procedures

6.2.1 A student may initiate a complaint about:

- academic programs (content or structure)
- course or program delivery
- assessment methods
- administrative procedures or decisions
- access to resources
- a decision made by a Institute committee or group

6.2.2 Wherever possible, the complainant should first discuss their complaint with the staff member who has immediate responsibility. The complainant may do this independently or with the assistance of a support person. The aims of the discussion are to:

- a. establish the basis of the complaint
- b. achieve a resolution of the complaint

6.2.3 Where the complaint is not resolved through discussion, the complainant may lodge a complaint with the relevant head of department who will commence an investigation within ten working days.

- If, following investigation, the complaint is not substantiated, the complainant will be advised in writing within five working days that the matter will not proceed further within the Institute.
- If, following investigation, the complaint is substantiated, the head of department will:
 - a. Implement changes or recommend changes to the appropriate person or committee to redress the issue
 - b. Advise the complainant in writing within five working days of the resolution of the complaint of: **the outcome, the reasons for the outcome and further avenues of complaint.**
 - c. Ensure the equitable treatment of other students who may have been affected.

6.2.4 If a complaint is referred directly to the Vice Chancellor before the process outlined above has been undertaken, the Vice Chancellor will normally refer it to the head of department and or director of quality.

6.3 Complaints about a Institute staff member

6.3.1 Wherever possible, the complainant should first discuss their complaint with the staff member concerned. The complainant may do this independently or with the assistance of a support person. The aims of the discussion are to:

- a. establish the basis of the complaint
- b. enable communication between the complainant and the respondent
- c. achieve a resolution of the complaint

6.3.2 Where the complaint is not resolved through discussion, the complainant may lodge a complaint with the relevant head of department.

6.3.3 Any allegations of misconduct/serious misconduct by a staff member must be referred to the Director of academic affairs or director of human resources for consideration, investigation and action under the Institute's relevant industrial instruments. The relevant Deputy Vice Chancellor/Vice Chancellor must also be advised of the allegations.

6.3.4 Complaints that do not involve misconduct/serious misconduct are most appropriately resolved in accordance with the following process. The head of department will:

- a. Acknowledge receipt of the complaint in writing within two working days of receiving the complaint.
- b. Discuss the matter with the respondent. This should include:
 - i. Providing details of the complaint.
 - ii. Explaining the effect of the alleged behaviour on the complainant
 - iii. Providing information about the respondent's rights, including the right to natural justice
 - iv. Providing information about relevant support services, Institute policy, and procedures
 - v. Advising that victimisation will not be tolerated
- c. Discuss the complaint with the complainant, with the aim of resolving the complaint
- d. Provide written confirmation of the outcomes of the complaint to all parties within five working days of the resolution of the complaint.

6.3.5 If the matter cannot be resolved at the local level, either the complainant or the head of school/director may refer the matter to the relevant senior management.

6.3.6 If a complaint is referred directly to the Vice Chancellor before the process outlined above has been undertaken, the Vice Chancellor will normally refer it to the relevant head of department or director of academics and quality.

6.4 Complaints about another student

6.4.1 Wherever possible, the complainant should first discuss their complaint with the student concerned. The complainant may choose to do this independently or with the assistance of a support person. The aims of the discussion are to:

- a. establish the basis of the complaint
- b. enable communication between the complainant and the respondent
- c. achieve a resolution of the complaint

6.4.2 Where the complaint is not resolved through discussion, the complainant may lodge a complaint with the relevant head of department. If the head of department determines that the complaint is trivial and/or vexatious, they will advise the complainant in writing within five working days that the matter will not proceed further within the Institute

The head of department will:

- a. Discuss the matter with the respondent. This should include:
 - i. Providing details of the complaint.
 - ii. Explaining the effect of the alleged behaviour on the complainant
 - iii. Providing information about the respondent's rights, including the right to natural justice
 - iv. Providing information about relevant support services, Institute policy, and procedures
 - v. Advising that victimisation will not be tolerated

6.4.3 If the matter cannot be resolved, either the complainant or the head of department may refer the matter to the relevant committee chaired by the director of academics or quality.

Some complaints may involve matters beyond their mandate; they must seek advice from the Office of the Vice Chancellor.

6.4.4 If a complaint is referred directly to the Vice Chancellor before the process outlined above has been undertaken, the Vice Chancellor will normally refer it to the relevant authorities.

6.5 Complaints about bullying, discrimination or harassment on placement

If a student alleges bullying, discrimination or harassment while on a placement, the Institute will investigate. Where those allegations are substantiated, as determined by the Institute, the Institute will:

- a. Act as far as is reasonable and possible to protect the student
- b. Work with the other organisation to investigate and resolve the complaint
- c. Take precautions to prevent recurrence.

7. Confidentiality and record keeping

7.1 All records created and held in relation to a complaint must be treated as confidential. This means:

- a. Information concerning the complaint will only be made available to a person who:
 - i. has a legitimate role in the complaint resolution process
 - ii. is required or authorised by law to access the information
- b. If the complainant requests that their complaint be kept confidential, their permission must be obtained before information about the complaint is provided to any other person.

7.2 A complete written record of all complaints and their outcomes must be kept.

- Retaining a copy of the record on the respondent's file
- Providing a copy of the record to the respondent
- Retaining a copy of all correspondence on the student's file
- Retaining a record of any corrective and/or preventative action taken in response to the complaint
- Providing a copy of the complete record of the complaint to the Records Management Office for archiving.

Staff Disciplinary Policy And Procedure

SIAS as a postgraduate academic institute expects all employees to conduct themselves in an appropriate manner in their day to day work, including in their dealings with colleagues, students and external organisations.

Employees should familiarise themselves with those Institute policies which set out expected standards of behaviour. Where employee conduct falls short of these standards, managers will attempt to resolve the matter through informal means where appropriate so that employees are given the opportunity to improve. If these actions do not provide a resolution, then the Formal Disciplinary Procedure set out in this document should be followed.

SIAS aims to deal with all disciplinary issues in a fair and consistent manner. It recognises that, for the employee and manager concerned, involvement in a Disciplinary

Procedure can be difficult and stressful. The Institute will therefore ensure that those involved are made aware of available guidance and support, and that disciplinary issues are dealt with as quickly as the specific circumstances allow.

8. Scope and Purpose

This Policy applies to all full time and part-time employees. This Policy has been designed to deal with instances of misconduct. The treatment of the misconduct will reflect what is reasonable taking into account all the circumstances of the case; precedent; the employee's record of employment; previous patterns of behaviour (including any current warnings on record); and whether the actions were wilful or malicious.

9. Principles of the Policy

SIAS will observe the following principles in all disciplinary matters:

- a. All disciplinary matters will be treated with due confidentiality.
- b. Managers will initially aim to resolve minor disciplinary issues through an informal procedure.
- c. The Institute will make every effort to deal with disciplinary allegations as quickly as possible, at the appropriate management level.
- d. No disciplinary action will be taken before a case has been fully investigated and, until a Disciplinary Hearing has taken place.
- e. Except in cases of gross misconduct, employees will not normally be dismissed for a first disciplinary offence.
- f. At every stage in the Disciplinary Procedure, employees will be clearly advised in writing of the nature of the allegations against them, and will have the opportunity to state their case before any decision regarding disciplinary action is made.
- g. Employees will be provided with evidence gathered through the investigation before any Disciplinary Hearing. This will include any statements by third parties and records of interviews.
- h. At all stages of the formal Disciplinary Procedure, employees have the right to be accompanied by a Trade Union representative or workplace colleague.
- i. The appointment of an Investigating Officer, the Chair of a Hearing or a Panel, will always be subject to avoiding current and potential conflicts of interest.

- j. At no stage in the procedure can meetings or hearings be recorded using audio or video recording equipment without the prior written agreement of all present.
- k. Employees always have the right of appeal against any disciplinary action taken as a result of a Disciplinary Hearing.

10. Responsibilities

11.1 Managers are responsible for ensuring that:

- 11. All employees are aware of the Disciplinary Policy
- 12. Disciplinary issues are dealt with as soon as they become apparent
- 13. Guidance is sought from their legal advisor where there is a possibility of formal action being taken
- 14. They respect the need for confidentiality in relation to disciplinary issues
- 15. Where an allegation of unsatisfactory conduct relates to a student complaint, the manager will refer to the Institute Complaint Handling Procedure to ensure that all necessary processes are followed.

11.2 Employees are expected to:

- 11.2.1 Conduct themselves in an appropriate manner in their day to day work
- 11.2.2 Familiarise themselves with those Institute policies which set out expected standards of behaviour.

12 Cooling Off Periods

There may be occasions where managers need to address a situation at work quickly. This could include asking any employees involved in the situation to stop work and go home for the day to allow a 'cooling off period' before a decision is taken on how to handle the matter.

This should not be considered as suspension from work or annual leave.

13 Initial Fact-Finding Investigation

When managers become aware of an alleged breach of discipline, they should carry out a brief fact-finding investigation. The information gathered during this process will enable managers to decide whether there is potentially a case to answer, and if so, whether to treat the matter as an informal or formal one.

14 The Informal Procedure

14.1 Where appropriate, minor instances of misconduct may be dealt with informally through the provision of advice, coaching or training. Examples of such offences include isolated instances of:

- Poor time keeping
- Non-compliance with sickness notification rules
- Inappropriate comments or behaviour at work
- Minor breaches of Health and Safety regulations.

14.2 In these circumstances, the employee's manager is responsible for bringing the matter to the employee's attention and discussing it with them.

The employee should be clearly advised of the specific standard of behaviour expected of them, and should be warned that if there is no improvement they may be subject to formal disciplinary action in the future.

14.3 If there are any actions arising from this discussion, managers should confirm them in writing to the employee, setting out any agreed objectives, expectations and timescales.

15 The Formal Disciplinary Procedure

15.1 More serious allegations or repeated allegations of minor breaches will be dealt with under the formal Disciplinary Procedure.

If a manager believes a matter should be dealt with formally, they must immediately contact their HR to agree the next steps. The HR will provide guidance and support through the procedure.

15.2 If the case is to proceed as a formal disciplinary matter, the manager must put the allegation in writing to the employee, along with an explanation of the stages of the process and the name of the person who will carry out the investigation.

Where formal meetings are necessary the 'Guidance for Handling Formal Meetings' should be followed.

15.3 There are three stages to the Formal Disciplinary Procedure:-

- Stage 1
 - **Investigation.** This involves an investigation into the alleged misconduct to establish whether there is a case to answer.
- Stage 2
 - **Hearing.** This involves a Disciplinary Hearing with the employee. A decision will be taken following a hearing as to whether any disciplinary action is necessary, and if so, what is appropriate.
- Stage 3
 - **Appeal** against any disciplinary action taken.

16 Representation

At all formal meetings held as part of the formal Disciplinary Policy, employees have the right to be accompanied by a Trade Union representative / official or workplace colleague. When arrangements for meetings are confirmed, employees are responsible for notifying their chosen representative of the arrangements, and notifying the chair of the meeting of the name of the person accompanying them in advance.

17 Confidentiality

All those involved in a disciplinary procedure must keep all information relating to the case confidential. Any inappropriate disclosure of information relating to the case may result in disciplinary action.

18 Suspension

In some circumstances, it may be appropriate to suspend employees with full normal pay (including allowances) while a matter is investigated. Any suspension should be for the minimum period possible and usually no longer than four weeks. The reasons for the suspension must be made clear to employees in writing.

Where suspension is considered to be appropriate, the manager making this recommendation must refer the matter to the relevant legal advisor, Vice Chancellor or an appropriate deputy before making a decision.

If a manager decides that suspension is necessary, it is important to ensure that the matter is dealt with sensitively, maintaining confidentiality as far as possible and reassuring the employee that there is no presumption of guilt. The suspension should be for as short a time as possible and priority should be given to completing the investigation to allow the disciplinary process to conclude as soon as possible.

In cases involving serious misconduct, suspension may be appropriate in the following circumstances:

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- Where the presence of the employee may inhibit the investigation
- Where there are grounds to believe that the employee may intentionally disrupt the day-to-day work in the Department and/or not work to agreed standards during the course of the investigation
- Where the presence of the employee presents a risk to the welfare of other employees, or may increase the likelihood of further misconduct
- Where there is a serious risk to the Institute 's reputation or business in allowing the employee to remain at work during the investigation.

19 Stages of the Formal Disciplinary Procedure

19.1 Formal Stage 1 - Investigation

If the employee concerned identifies a potential conflict of interest with the appointed Investigating Officer they should immediately let the line manager or the legal advisor know, then arrangement for the appointment of a different Investigating Officer will be made.

19.2 Confirming the Outcome of an Investigation

The investigation should, where possible, be completed within two weeks, after which the findings will be reported to the Vice Chancellor and HR. At this point they will decide if there is a case to answer or not.

Where it is established that there is no case to answer, this will be confirmed in writing to the employee and their line manager, and all associated documentation will normally be destroyed and disposed of. In these circumstances, the manager should consider if any informal guidance for the employee (or others involved) is appropriate.

19.3 Formal stage 2 - Disciplinary Hearing

19.3.1 The VC/DVCA/PAF with HR or their nominated deputy will appoint members of the Disciplinary Panel.

19.3.2 In cases where dismissal is identified as a potential outcome, the DVCPAF or their nominated deputy will chair the hearing. There will be two other panel members, one of whom will be outside the management chain of the employee concerned.

In all other cases, the employee's direct supervisor will be in the management chain of the employee concerned, unless there is an identified conflict of interest, and there may be either one or two other panel members, at least one of which must be outside the employee's management chain

19.3.3 The request to attend the hearing will be issued by the direct supervisor and will:

- Set out the nature of the alleged misconduct
- Confirm the names and designations of those attending the Hearing and give the employee the opportunity to identify any perceived conflict of interest
- Give written details of the evidence collected and attach copies of any documents to be referred to
- State the time, date, location and expected duration of the hearing
- Remind the employee of their right to be accompanied by a Trade Union representative or workplace colleague

- Advise the employee that if they have any additional evidence that did not come to light during the investigation, they should send it in advance to the direct supervisor.
- Confirm the possible outcomes of the hearing.

19.4 Outcome of the Hearing

19.4.1 When all of the evidence has been heard, the Responsible Manager will adjourn to consider the decision. Normally on the day of the hearing, the Responsible Manager will decide whether to accept or dismiss any or all of the allegations and what (if any) disciplinary action to take. The decision will, where possible, be conveyed to the employee verbally that day by the Responsible Manager, and confirmed in writing to the employee and line manager within one week.

19.4.2 If the Responsible Manager accepts the allegations, then depending on the seriousness or frequency of the misconduct, disciplinary action may take one or more of the following forms:

- Written warning
- Final written warning including a statement that any further breach of discipline within the period of the warning may lead to dismissal
- Dismissal
- Another sanction, e.g. loss of formal office or demotion (as alternatives to dismissal).

19.4.3 Where the manager's disciplinary action, the letter of confirmation will include details of:

- The nature of the misconduct
- The nature of the disciplinary action to be taken
- The reason for the decision and factors taken into account
- The length of time any disciplinary warning will be active
- The likely consequences of further misconduct where appropriate
- Who the decision will be communicated to, e.g. the employee's Head of Department
- The timescale for lodging an appeal and how it should be made.

19.5 Warning Periods

19.5.1 Formal warnings given to employees through the Disciplinary Policy will normally last for the periods of time specified below.

- A written warning – one year
- A final written warning – two years.

19.5.2 After the warning period has expired, a note of its existence will remain on the employee's record, however this will not be used towards any escalation of warnings but may be used to provide context where relevant.

19.6 Dismissal

In cases where dismissal is the outcome decided by the Panel, the employee may be dismissed with pay in lieu of notice, or summarily without notice if the circumstances of the case are sufficiently serious to warrant it. Employees will not normally be dismissed for a first offence unless their actions amount to gross misconduct.

20 Formal stage 3 – Appealing against Disciplinary Action

Employees have the right to appeal against any formal action taken against them. Notification of an appeal must be submitted within two weeks of the written

notification of the outcome of the Hearing, and the full appeal made within four weeks of the notification of the outcome of the Hearing under the Disciplinary Policy.

21 Criminal Offences outside Employment

There is no automatic application of the Disciplinary Policy if an employee becomes the subject of police enquiries or charges relating to a criminal offence outside employment or if they are absent from work because they have been remanded in custody. This applies regardless of whether the offence has any direct relevance to the employee's duties.

22 The following examples are offences which may lead to disciplinary action. This list is not exhaustive.

22.1 Potential Serious Offences

- Repeated minor misconduct
- Unauthorised absence
- Wilful neglect of duties
- Refusal to obey a reasonable instruction by a relevant manager or other appropriately authorised employee
- Smoking outside designated areas
- Giving false information.
- Mishandling of official contracts or transactions
- Inappropriate use of official vehicles
- Unauthorised disclosure of confidential information
- Offences against Health and Safety regulations
- Misuse of drugs or alcohol to an extent which impairs the employee's ability to carry out their duties
- Acts constituting harassment
- Conduct detrimental to the Institute outside employment
- Misuse of computer software, hardware or other Institute property
- Malicious accusations against a colleague.
- Improper use of social media:

22.2 Potential Gross Misconduct Offences

- Threatening or abusive behaviour
- Acts of physical violence
- Deliberate damage to Institute property or reputation (includes improper use of social media)
- Gross misuse of Institute computers
- Criminal offences within employment
- Criminal activities outside work, where such conduct is judged to be incompatible with the individual's employment, or where it could bring the Institute into disrepute
- Reckless, wilful or deliberate disregard of safety regulations
- Theft, fraud or deliberate falsification of records, e.g. expense claims
- Deliberate contravention of the Institute's financial regulations
- The misuse of drugs or alcohol to an extent which seriously impairs the employee's ability to carry out their duties.
- Acts constituting discrimination or victimisation (including on the grounds of sex, race, disability, sexual orientation, religious belief or age).
- Deliberate serious breaches of confidentiality.

- Improper use of the employee's position for private advantage, or an attempt to do so
- Improper use of Institute resources or property for private advantage, or an attempt to do so.

VERSION CONTROL

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APPROVAL FORM

Checked by:

Signature:



**DR. Donya Ahmed
Vice Chancellor
Socioeconomic Institute for Advanced Studies**

Approved by:

Signature:



**DR. Mohamed Buhiji
Founder & Chairman of the Board of Trustees
Socioeconomic Institute for Advanced Studies**

